

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GEMTRON CORPORATION,

Plaintiff,

-vs-

Case No. 1:04-0387  
Hon: AVERN COHN

SAINT-GOBAIN CORPORATION,

Defendant.

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**MEMORANDUM REGARDING FINAL JUDGMENT**

On September 22, 2008, the Court entered the Final Judgment in this case. The parties disagreed on some of the provisions of the Final Judgment. The Court resolved these disagreements at a hearing on September 05, 2008. The record of the hearing reflects the Court's reasoning in its resolve of the disagreements.

Also, particularly with regard to the permanent injunction, the Court's reasons are reflected in the e-mail message of the Court to the parties of June 03, 2008, a copy of which is attached as Exhibit A.

As to the staying of the permanent injunction, the Court is mindful of the action of the Court of Appeals for the Federal Circuit in the order entered November 30, 2007, in *Sundance, Inc., et al. v. DeMonte Fabricating, Ltd., et al.*, Case No. 2008-1068 [unreported] (a copy of which is attached as Exhibit B). *Sundance* is on appeal from decisions of this Court (Case No. 02-73543).

Dated: September 23, 2008

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, September 23, 2008, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160